

render the Applicant's invention unpatentable, either singly or in combination, as was properly determined by the Examiner in said Office Action.

New Claims

By this Amendment, the Applicant has added new dependent claims 41, 42, 43, 44, 45, and 46, for the objective of claiming the disclosed stereochemical aspects of the possible R₁ substituents of the inventive compound in each independent claim 1, 6, 14, 23, 32, and 34, respectively.

Support for the addition of new claims 41 - 46 is clearly found in the originally filed specification. Specifically, in the Summary section, on p. 4, wherein it is clearly stated: "Preferably, R₁ is selected from the group consisting of β -amino-alcohol, C(=O)(CH₂)_nNR'R'' and (CH₂)_nCHOHCH₂NR'R'' wherein n is an integer and further wherein the chiral carbon atom can be the R or S enantiomer, a racemic mixture thereof or a mixture of any ratio thereof; . . .". Additional support for the addition of new claims 41 - 46 is in the Examples section, in Example 3, p. 23 - 25, wherein the Applicants illustratively describe in detail the synthetic pathways and procedures for obtaining the racemic mixture and the pure R and S enantiomers of the beta-isopropylamine derivative of dibenzoazepine.

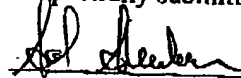
Examination of new claims 41 - 46 on the merits of the claimed invention is respectfully and earnestly solicited.

By this Amendment, the Applicant respectfully submits that independent claims 1, 6, 14, 23, 32, and 34, and hence dependent claims 3 - 5, 7 - 10, 12 - 13, 15 - 17, 19 - 22, 24 - 26, 27 - 31, 33, 35 - 40, are now in condition for allowance. Examination of new claims

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41 - 46 on the merits of the claimed invention is respectfully and earnestly solicited. The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Sol Sheinbein', is written over a horizontal line.

Sol Sheinbein
Registration No. 25,457

Date: Aug. 01, 2004